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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

In re ISMAEL S., a Person Coming Under
the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

ISMAEL S.,

Defendant and Appellant.

F065437

(Super. Ct. No. 07CEJ601116-2)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. Kimberly Gaab, Judge.

Allan E. Junker, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

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* Before Gomes, Acting P.J., Detjen, J. and Franson, J.

The court found that appellant was a person described in Welfare and Institutions Code section 602 after appellant admitted allegations charging him with attempted second degree robbery (count 1/Pen. Code, §§ 211 & 664) and assault with a firearm (count 2/Pen. Code, § 245, subd. (a)(2)). Following independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), we affirm.

FACTUAL AND PROCEDURAL HISTORY

On April 21, 2012, at approximately 10:41 p.m., Lorenzo Perez was walking along a street in Fresno when he was approached by appellant and two other males. Appellant asked Perez if he had any money. Perez replied that he did not. The three males began hitting and kicking Perez causing him to fall to the ground. As appellant and his cohorts continued punching and kicking Perez, appellant went through Perez's pockets. After two to three minutes, appellant and the other males ran away.

Veronica Ochoa was in her front yard when she saw appellant and the other males assaulting Perez. Ochoa also saw them run to an empty lot across the street and hide in some bushes with several other people. Appellant pointed a shotgun at Ochoa and her friends. Three of the friends crossed the street, then wrestled appellant to the ground and disarmed him as the other suspects ran away. Appellant threatened to kill one of Ochoa's friends. Later that night, Perez identified appellant at an infield lineup as the male who asked him for money and was the first to hit him.

On April 24, 2012, the district attorney filed a petition charging appellant with attempted second degree robbery (count 1) and three counts of assault with a firearm (counts 2, 3 & 4).

On June 4, 2012, appellant entered a plea to the count of attempted robbery and one count of assault with a firearm in exchange for dismissal of the remaining counts.

On July 2, 2012, the court set appellant's maximum term of physical confinement at four years eight months and committed him to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice.

Appellant's appellate counsel has filed a brief which summarizes the facts, with citations to the record, raises no issues, and asks this court to independently review the record. (*Wende, supra*, 25 Cal.3d 436.) Appellant has not responded to this court's invitation to submit additional briefing.

Following an independent review of the record, we find that no reasonably arguable factual or legal issues exist.

DISPOSITION

The judgment is affirmed.